

Applicant urges that all remarks made with respect to Hermsen or Goldberg, Kirby and Axelson in the Amendment dated September 29, 1988, apply equally as well hereto. It should be noted that Claim 15 depends from Claim 11 and ultimately from independent amended Claim 10. Amended Claim 10 is now deemed to be in allowable condition for the reasons set forth in the Amendment dated September 29, 1988. Since dependent Claim 15 includes all the limitations of Claim 11, and amended Claim 10, Claim 15 is likewise deemed to be in allowable condition. Further, Examiner stated that with the exception of not specifying its specific combustion engine to be of the Hippe type, Stratton teaches the benefit of Hippe engine as a combustion engine. To merely substitute the Hippe engine of Stratton for the combustion engine of either Hermsen or Goldberg is a mere substitution of equivalent parts and is obvious. With this, applicants cannot agree. As noted in the Amendment of September 29, 1988, Hermsen and Goldberg are seriously deficient and do not teach the controlled combustion techniques necessary to foster the enhanced underwater long-range communication technique of the presently claimed invention. Thus, there would be no reason for one of ordinary skill in the art to take the propulsion system of Stratton and substitute it for the combustion engine of either of the primary references. Further, it is only the present invention that teaches that one can control the frequency necessary for long-range underwater communication and the mere fact that the combustion engine of Stratton exists would not without more cause one of ordinary skill in the art to substitute the combustion engine of Stratton for the combustion engine of either Hermsen or Goldberg. Finally, it should be noted that it is the presently claimed invention which has identified the underwater communication problem which in no way is cured by Hermsen or Goldberg or even approached by either of those two references. Thus, there is no basis for one of ordinary skill in the art to combine the teachings of Hermsen or Goldberg in view of Kirby or Axelson as previously noted with the teachings of Stratton as delineated above. In view of the foregoing it is respectfully urged that Claim 15 as dependent from amended Claim 10 is in allowable condition and such action as well as issuance of this case is respectfully requested.

In view of the foregoing amendment and remarks and the foregoing amendment of September 29, 1988, it is respectfully urged that Claims 1-3, 5-8, and 10-15 are in allowable condition and such actions as well as issuance of this case is respectfully is requested.

Respectfully submitted,



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